Tiger Blood / Bad Blood: Pop Goes HIV

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One of the earliest horrible “jokes” I read about Charlie Sheen and his HIV status was something like, “How is that tiger blood treating you now?” My pop-sick brain started singing “Tiger Blood” to the tune of Taylor Swift’s “Bad Blood” and suddenly I was able to articulate something I had been struggling with all summer:

HIV criminalization is like a Taylor Swift Song: worthy of further consideration and often rooted in revenge.

“Bad Blood” of course is the best example. As someone who writes and organizes around HIV/AIDS and often uses pop culture to talk about the ongoing epidemic, I can’t help but hear the song through the lens of HIV, both historically, and relate it to HIV criminalization. And now it seems entwined with Charlie Sheen.

The song of course is from Swift’s latest album, 1989 (which is also the year Swift was born, and Sheen starred in Major League). When I first heard “Bad Blood” I imagined how if Taylor Swift had released it in 1989, at a height of the ongoing AIDS crisis, many may have thought it was about HIV, and that she was singing about how changing sexual norms were to blame for the epidemic.

“We used to have mad love, now we have bad blood,” echoes the thinking many people had at the dawn of the virus in the United States. HIV was understood to be God’s wrath on a country that lost its morals in the 1960s and 1970s with free love, growing acceptance of same sex desire, and the evolving role of women. For the first five years of the nation knowing about the epidemic, President Reagan did not even say “HIV/AIDS.” For people that were living with HIV and those understood to be at risk amid Reagan’s silence, the sentiment of Swift’s line “now we have problems” was an understatement.

Even the term “bad blood” highlights something we take for granted now. Once HIV was determined to spread through bodily fluids, blood (rather than semen and vaginal fluids) became the leading symbol of the illness.

In TV and movies, blood was used to express a fear of contagion: Think of vials of blood on the nightly news, and Joseph Mazzello in The Cure screaming, “My blood is poison.” Universal precautions were introduced in medical and law enforcement situations to reduce contact with blood regardless of the actual risk of transmission; and the blood supply was more intensely screened, leading gay men and others to be banned from donating.

Bad blood was everywhere, and rather than focusing on what people living with HIV needed to increase and maintain their life chances, resources were spent on containing people living with HIV. Quarantine was up for debate; the idea of tattooing HIV-positive people was written about in The New York Times; and until the current administration repealed it, there was a ban on HIV-positive people traveling into the United States.

Then, starting in the mid-1980s, the criminal justice system became heavily involved, enlisting citizens to round up people living with “bad blood.” This is what is known as HIV criminalization

laws.

As it stands now, 34 states have specific laws criminalizing people with HIV, mostly focused on disclosure, making it so a person living with the virus is held solely responsible for not only disclosing, but also being able to prove the disclosure in a court of law.

As Sarah Schulman wroted on Slate, “HIV criminalization is denunciation-based: the state encourages people who are HIV negative to bring charges against HIV-positive sexual partners who they say have not disclosed their status.”

HIV criminalization laws and how they are applied do not consider barriers to disclosure such as power imbalance within sexual relationships, nor how hard it is to prove disclosure. (Are you able to prove that what you said was understood by your last sex partner? When was the last time you had to?)

These laws also don’t reflect how HIV is transmitted, nor are they informed by medical advancements, such as PrEP and the fact HIV-positive people with undetectable viral loads pose virtually no risk for transmitting the virus. People living with HIV have been arrested, convicted and sent to prison for instances where no transmission occurred, and no risk was posed.

Hopefully Sheen’s interview will shed light on “undetectable” and what it means while beginning to unravel HIV criminalization. Until then criminalization will continue to hurt prevention efforts by increasing stigma around HIV, making it less appealing for people to learn their HIV status. A popular refrain among communities deemed to be most at risk is, “Take the test and risk arrest.” People who fear they may be living with HIV would rather suffer with the virus, managing it alone rather than risk having the criminal justice system involved in their lives.

In states without specific HIV criminalization laws, people living with the virus can be charged with assault with a deadly weapon--their body. And as we see with Sheen, it also opens people up to civil law suits. In his interview on Today, Sheen spoke about how he has spent millions on trying to suppress his HIV status from the public. More than 30 years into the world knowing about the virus, we still have a construction of people living with HIV as “bad,” something the November 18 National Enquirer cover about Sheen makes clear.

Fear of HIV and the related stigma not only impacts those living with the virus, but also those who have recently come into contact with someone living with HIV. “Now look what you’ve done,” repeats Swift throughout “Bad Blood”; it’s a way to point blame, a suggestion that although the “bad blood” was shared, only the person she is singing about is responsible. In this arrangement Swift gets the upper hand by taking the issue to the public. She distances herself from being in a shared situation by calling attention to what has happened to her. Swift gets to be both victim and victor, while the other person is only villainized. This is the story of many of Swift’s songs, and of HIV criminalization. The hurt, shame, fear and confusion of the recently exposed and possibly seroconverted is used by authorities and lawyers to bring cases and charges against people living with the virus. I do not think that Swift is singing about HIV, yet for me “Bad Blood” mirrors the

flawed logic at the heart of HIV criminalization: public revenge stemming from intimate pain.

It can seem silly or maybe even a form of distraction to focus on pop culture when dealing with issues as serious as HIV/AIDS and criminalization, and yet this is where much of the public gathers not only to learn about issues, but how to discuss these issues. As has been noted, the media surrounding Charlie Sheen's disclosure, while terrible at times, was made better in part because of activists and artists in the US who are good at marshaling pop culture and the media for activist and educational purposes (a legacy of the earliest HIV activism). People will not always pay attention to an earnest pronouncement about important issues, so meeting people where they are at is not only a form of harm reduction, it is a good public education strategy.

So I think it is OK in this current Sheen / HIV news cycle to explore Swift's words, and, following her logic, remind people that just as "band-aids don't fix bullet-holes," criminalization doesn't stop HIV.

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